

## Message Text

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ORIGIN EUR-12

INFO OCT-01 ISO-00 EB-07 L-03 CAB-02 CIAE-00 COME-00

DODE-00 DOTE-00 INR-07 NSAE-00 FAA-00 LAB-04 SIL-01

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DRAFTED BY EUR/CE: RWBECKER: RWB

APPROVED BY EUR MR. VINE

EB/OA - JMAGNOR

L/EB - T. TALLERICO

L/EUR - DSMALL

EUR/CE - RDDAVIS

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R 022055Z JUN 75

FM SECSTATE WASHDC

TO AMEMBASSY BONN

INFO USMISSION USBERLIN

AMEMBASSY LONDON

AMEMBASSY PARIS

USMISSION NATO

C O N F I D E N T I A L STATE 127951

E.O. 11652:GDS

TAGS:PFOR, EAIR, WB, US, GW

SUBJECT:PAN AM LOSS CLAIM AS RESULT OF FRG CONTROLLERS  
SLOWDOWN IN 1973

REF: A) STATE 91356 B) BONN 7145 C) USBER 686

1. DEPARTMENT PLANS TO ADVISE PAN AM HERE THAT USG HAS  
REACHED CONCLUSION THAT FRG MADE REASONABLE EFFORT TO  
FULFILL ITS OBLIGATIONS TO THE BERLIN SERVICES FLOWING FROM  
1952/54 CONVENTIONS. THUS, USG WOULD NOT BE JUSTIFIED  
IN ASSERTING THAT FRG CONDUCT DURING PERIOD OF CONTROLLER  
SLOWDOWN CONSTITUTED VIOLATION OF THOSE CONVENTIONS  
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WHICH WOULD PERMIT IT TO SEEK COMPENSATION ON BEHALF OF

US CARRIER.

2. WE ARE PREPARED TO SUPPORT PAN AM, HOWEVER, IF IT CAN DEVELOP STRONG CASE UNDER FRG DOMESTIC LAW TO DEMONSTRATE THAT FRG BEARS RESPONSIBILITY FOR AT LEAST PART OF LOSSES SUSTAINED DUE TO 1973 SLOWDOWN. IN THIS REGARD WE WOULD SUPPORT ARGUMENT THAT PAN AM LOSSES ASSOCIATED WITH OPERATION OF INNER GERMAN SERVICES SHOULD RECEIVE TREATMENT SIMILAR TO THAT ACCORDED DOMESTIC FRG CARRIERS. SPECIAL NATURE OF IGS WOULD NOT ONLY JUSTIFY SUCH TREATMENT, BUT WOULD PROVIDE CLEAR AND

CONVINCING BASIS TO DISTINGUISH COMPENSATION IN THIS CASE FROM LOSSES SUFFERED IN INTERNATIONAL SERVICES. THIS WOULD MEAN THAT FRG WOULD NOT BE OPENING ITSELF TO CLAIMS OF INTERNATIONAL CARRIERS, INCLUDING PAN AM AND BRITISH AIRWAYS, REGARDING LOSSES SUFFERED DUE TO SLOWDOWN'S EFFECT ON INTERNATIONAL SERVICES.

3. EMBASSY MAY ADVISE PAN AM GERMANY OF ABOVE. MAW

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** LITIGATION, AIR TRAFFIC CONTROL, LABOR STRIKES  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 02 JUN 1975  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** ellisoob  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1975STATE127951  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** RWBECKER: RWB  
**Enclosure:** n/a  
**Executive Order:** GS  
**Errors:** N/A  
**Film Number:** D750193-0489  
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**Previous Handling Restrictions:** n/a  
**Reference:** 75 STATE 91356, 75 BONN 7145, 75 USBER 686  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** ellisoob  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 29 APR 2003  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <29 APR 2003 by ElyME>; APPROVED <14 OCT 2003 by ellisoob>  
**Review Markings:**

Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
06 JUL 2006

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** AN AM LOSS CLAIM AS RESULT OF FRG CONTROLLERS SLOWDOWN IN 1973  
**TAGS:** PFOR, EAIR, WB, US, GE, PANAM  
**To:** BONN  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006